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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/027,829	10/19/2001	Brian N. Tufte		2577

28075 7590 06/16/2006

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EXAMINER

BORISSOV, IGOR N

ART UNIT PAPER NUMBER

3639

DATE MAILED: 06/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	10/027,829		TUFTE, BRIAN N.	
	Examiner		Art Unit	
	Igor Borissov		3639	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

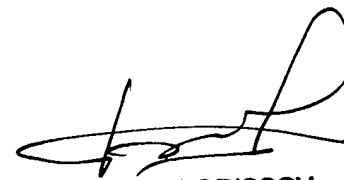
- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.



**IGOR N. BORISSOV
PRIMARY EXAMINER**

DETAILED ACTION

Response to Pre-Brief Conference request

Applicant's arguments received on 2/04/2006 are considered, and prosecution of the case is, therefore, reopened. Claims 1-32 are currently pending in the application.

Claim Rejections - 35 USC § 112

Claims 1-32 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1, 20, 24, 25, 30 and 32. The claims are confusing, because the preamble of the claims indicates that the invention is directed to "*increasing the participation of contributor*", however, the body of the claims is silent regarding said "*increasing the participation of contributor*", and, therefore, fails to meet the stated purpose.

Furthermore, Claims 1, 20, 24, 25, 30 and 32 recite the following limitation: "*delivering the delivery lot of goods and/or services*", which is confusing. It is not clear how services can be delivered via a delivery lot.

Furthermore, Claims 1, 20 and 24 recite the following limitation: "receiving directly *or* indirectly", which is confusing. It is not clear what difference in functionality is considered as recited in the claims. For example, the term "receiving *indirectly*" can be understood as receiving donation from a contributor over a kiosk/the Internet (third party service provider) rather than having contributor to contribute in-person. From other side, accessing a charitable website by a contributor from contributor's home computer can be also understood as "receiving directly" said contribution from said contributor.

Claim 10 recites: "A method according claim 1 wherein the goods and/or services includes *cash*", which is confusing. It is not clear to what extend cash represent goods and/or services.

Art Unit: 3639

Claim 15 recites: "A method according claim 1 wherein the delivery lot includes one type of goods and/or services", which is confusing. It is not clear how both goods and services can be included in one delivery lot.

Claim 16 recites: "A method according claim 1 wherein the delivery lot includes two or more types of goods and/or services", which is confusing. It is not clear how both goods and services can be included in one delivery lot.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Robbins (US 2005/0246359) in view of American Red Cross - Annual Report: Survival on the Far Side of the World (hereinafter Red Cross).

Independent Claim

Claim 32. Robbins teaches a method for tracking of the delivery of items, including:

obtaining the location of the delivery lot of goods (shipment; [0018]) at one or more points in time [0037];

providing the location information of the delivery lot (shipment) to the contributor (shipper) [0037].

While said method can be utilized for various type of shipment, Robbins does not specifically teach that said method is utilized for delivering goods for people in need (donations).

Red Cross, which appears to be published on 9/25/2000, discloses reporting to public (contributors) regarding a delivery of packages of food and household essentials to Azerbaijan and Armenian families in need, said delivery is conducted by trucks as they are moving from village to village (Page 1).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Robbins to include that said method for tracking of the delivery of items is utilized for delivering goods for people in need (donations), as disclosed in Red Cross, because it would advantageously simplify the access of the contributors to the status of the shipment, thereby providing a convenience for the contributors.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-26 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Episcopal Relief and Development; Projects for Hope in view of Robbins (US 2005/0246359).

Independent Claims

Claims 1, 20 and 24.

Episcopal Relief and Development; Projects for Hope (Project for Hope) (10/17/2000) appears to teach a Web site wherein a plurality of contributors can make a donation including goods or services to individuals or organizations (Pages 1-4; See examiner's numeration on the top of each page). Specifically, Project for Hope presents a list of delivery lots (projects), each delivery lot (project) includes description of goods or services needed, funds necessary for each delivery lot (project) and destination of

each delivery lot (project) (Pages 1-4). Furthermore, Project for Hope provides means for receiving donations from contributors, and means for assigning the donation to the selected by the contributor delivery lot (project) (Pages 7 and 9).

However, Project for Hope does not specifically teach *delivering said delivery lot of goods*. Also, while Project for Hope indicates a "COMPLETED" status of a project (Page 2) thereby indicating a *reporting* step, Project for Hope does not explicitly teach that said *reporting* step includes *obtaining the location of said delivery lot at one or more points in time during the delivery of said delivery lot*; and *providing the location of the delivery lot to the contributor at one or more points in time*.

Robbins teaches a method for tracking of the delivery of items, including:

obtaining the location of the delivery lot of goods (shipment; [0018]) at one or more points in time during the delivery of said delivery lot of goods [0037]; and

providing the location information of the delivery lot (shipment) to the contributor (shipper) at one or more points in time [0037].

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Projects for Hope to include *delivering said delivery lot*; and that said *reporting* step includes *obtaining the location of said delivery lot at one or more points in time during the delivery of said delivery lot*; and *providing the location of the delivery lot to the contributor at one or more points in time*, as disclosed in Robbins, because it would advantageously allow to use said method for managing and monitoring the delivery status of plurality of various shipments, tens or hundreds of which may be en route at any given time (Robbins; [0004]).

Claim 25.

Project for Hope appears to teach a Web site wherein a plurality of contributors can make a donation including goods and/or services to individuals or organizations (Pages 1-4). Specifically, Project for Hope presents a list of delivery lots (projects), each delivery lot (project) includes description of goods of services needed, funds necessary for each delivery lot (project) and destination of each delivery lot (project) (Pages 1-4),

Art Unit: 3639

and discloses means for assigning selected donations to a common delivery lot (project) for delivery to an ultimate destination (Pages 7 and 9).

However, while Project for Hope indicates a "COMPLETED" status of a project (Page 2) thereby indicating a *reporting* step, Project for Hope does not explicitly teach that said *reporting* step includes *reporting information relating to the delivery of said delivery lot to contributors*.

Robbins teaches a method for tracking delivery items, including:

providing the location information of the delivery lot (shipment) to the contributor (shipper) [0037].

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Projects for Hope to include that said *reporting* step includes *reporting information relating to the delivery of said delivery lot to contributors* as disclosed in Robbins, because it would advantageously allow to use said method for managing and monitoring the delivery status of plurality of various shipments, tens or hundreds of which may be en route at any given time (Robbins; [0004]).

Dependent Claims

Furthermore, Project for Hope teaches:

Claims 2. Providing a Web site wherein a plurality of contributors can make a donation (Page 9), thereby indicating the step of receiving information related to the donation via the Internet.

Claim 3. Receiving a contributor's name (Page 7).

Claim 4. Receiving a contributor's payment information (Page 9).

Claim 5. Receiving information related to the donation via the Internet wherein the information includes a donation preference (type of project) (Page 9).

Claim 6. Receiving information regarding donations via the phone (Page 6).

Claim 7. Said method as in Claim 1 wherein the receiving step includes receiving information via email (Page 7).

Claim 8. Said method for delivering donations wherein said donations include food (Page 2, project PH0010 in South India).

Claim 9. Said method for delivering donations wherein said donations include medicine (Page 1, project PH0004 for Sudanese Refugees living in Egypt).

Claim 10. Providing a Web site wherein a plurality of contributors can make a donation and wherein said donation includes cash (Page 1).

Claim 11. Robbins teaches providing said information regarding the location of the delivery lot in response to a request from the contributor [0037]. The motivation to combine the references would be to use said method for managing and monitoring the delivery status of plurality of various shipments, tens or hundreds of which may be en route at any given time (Robbins; [0004]).

Claim 12. Project for Hope teaches providing said Web site wherein a plurality of contributors can make a donation (Page 1).

Claim 13. Robbins teaches said method wherein the location of the delivery lot is automatically (upon accessing said Web site) provided to the contributor [0037]. The motivation to combine the references would be to use said method for managing and monitoring the delivery status of plurality of various shipments, tens or hundreds of which may be en route at any given time (Robbins; [0004]).

Furthermore, Project for Hope teaches:

Claim 14. Communicating with a contributor over the e-mail (Page 7).

Claim 15. Said method wherein the delivery lot includes one type of goods or services (food) (Page 2, project PH0010 in South India).

Claim 16. Said method wherein the delivery lot includes two types of goods or services (food and medical supplies) (Page 2, project PH0007 for Argentina).

Claim 17. Said method wherein each donation is assigned to a unique delivery lot (project) (Pages 1-4).

Claim 18. Said method wherein two or more donations are assigned to a common delivery lot (Page 7 teaches that minimum accepted donation is \$20.00, while the least expensive delivery lot (project) listed is \$165.00 (PH0014 in North India, Page 2), thereby indicating a necessity to assign two or more donations to said delivery lot).

Claim 19. Robbins teaches obtaining the location information of each delivery lot (shipment; [0018]) at one or more points in time each corresponding to different location

[0037]. The motivation to combine the references would be to use said method for managing and monitoring the delivery status of plurality of various shipments, tens or hundreds of which may be en route at any given time (Robbins; [0004]).

Claim 21. Robbins teaches that each shipment is assigned a unique ID, and each contributor (shipper) provides or selects the unique ID to receive the location information of the corresponding delivery lot [0007]; [0021]. The motivation to combine the references would be to provide a secure access to the shipment information, thereby preventing fraudulent activity.

Claim 22. Robbins teaches presenting unique ID to the shipper via a web site [0030]. The motivation to combine the references would be to provide a secure access to the shipment information, thereby preventing fraudulent activity.

Claim 23. Robbins teaches obtaining the location of each delivery lot (shipment; [0018]) at one or more points in time each corresponding to different location [0037]. The motivation to combine the references would be to use said method for managing and monitoring the delivery status of plurality of various shipments, tens or hundreds of which may be en route at any given time (Robbins; [0004]).

Claims 26. Project for Hope teaches that individuals can make a donation (First and Last name of the individual; Page 7).

Claim 28. Robbins teaches said method wherein information relating to the delivery of the delivery lot (shipment) is reported to the shipper [0037]. The motivation to combine the references would be to use said method for managing and monitoring the delivery status of plurality of various shipments, tens or hundreds of which may be en route at any given time (Robbins; [0004]).

Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Projects for Hope in view of Robbins and further in view of 1999 National Honorees; Complete List of Make a Difference Day Awards (Honorees).

Dependent Claim

Claim 27. Projects for Hope in view of Robbins teaches all the limitations of Claim 27, except specifically teaching that said contributors include organization with organization members.

Honories, the Internet print out of www.usaweekend.com, appears to display a list of awards for charitable contributions made during the 8th annual Make A Difference Day organized on October 24, 1998 wherein the list includes an award to Wal-Mart for \$2,000 donation made by the company (Page 2, 3rd paragraph).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Projects for Hope in view of Robbins to include that said contributors include organization with organization members, as disclosed in Honories, because it would advantageously allow to bring more funds to charity and organize employees of said organizations for making donations.

Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Projects for Hope in view of Robbins and further in view of O'Donnell et al. (US 2002/0013739).

Dependent Claim

Claim 29. Projects for Hope in view of Robbins teaches all the limitations of Claim 29, except providing a chat room.

O'Donnell et al. (O'Donnell) teaches a method for shipping services in a network environment, and further including facilitating the making of anonymous donations, as well as facilitating chat rooms [0002]; [0146].

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Projects for Hope in view of Robbins to include providing chat rooms, as disclosed in O'Donnell, because it would advantageously promote said donations by allowing involved contributors to communicate in real time.

Claims 30-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Projects for Hope in view of Robbins and further in view of Burke (US 6,876,971).

Independent Claim

Claim 30.

Project for Hope appears to teach a Web site wherein a plurality of contributors can make a donation including goods and/or services to individuals or organizations (Pages 1-4). Specifically, Project for Hope presents (displays) a list of delivery lots (projects) that need to be funded, each delivery lot (project) includes description of goods of services needed, funds necessary for each delivery lot (project), destination of each delivery lot (project) (Pages 1-4), and discloses means for accepting a selection of one or more of the available delivery lots (projects) by the contributor, and donation thereto (Pages 7 and 9).

However, while Project for Hope indicates a "COMPLETED" status of a project (Page 2) thereby indicating completion of funding of said project, Project for Hope does not explicitly teach that said *completion of funding of said project* includes *sending a funded delivery lot once the delivery lot is fully funded*.

Robbins teaches a method for tracking delivery items, including:

sending a delivery lot (shipment) [0018]; and

providing the location information of the delivery lot (shipment) to the contributor (shipper) at one or more points in time [0037].

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Projects for Hope to include *sending a delivery lot*, as disclosed in Robbins, because it would advantageously allow to develop and realize capabilities of people to help each other throughout the world.

Burke teaches a method for facilitating the making of donations, wherein contributors are provided with opportunity to make donations at cash registers via electronic transfer (C. 2, L. 63-65), and wherein said electronic transfer of all contributions allocated to each charity is conducted after said contributions are

Art Unit: 3639

accumulated until a sufficient amount is achieved to be acceptable by the recipient (C. 11, L. 17-25), thereby indicating "*fully funded*" feature.

It would have been obvious to one having ordinary skill in art the time the invention was made to modify Projects for Hope and Robbins to include that said sent delivery lot (shipment) is *fully funded*, as disclosed in Burke, because it would advantageously assure donors that the contribution takes effect (Burke; C. 11, L. 21-22).

Dependent Claims

Claim 31. Robbins teaches said method, including: obtaining the location of the delivery lot of goods (shipment; [0018]) at one or more points in time during the delivery of said delivery lot of goods [0037]; and providing the location information of the delivery lot (shipment) to the contributor (shipper) at one or more points in time [0037]. The motivation to combine Project for Hope with Robbins would be to use said method for managing and monitoring the delivery status of plurality of various shipments, tens or hundreds of which may be en route at any given time (Robbins; [0004]).

Burke teaches said method for facilitating the making of donations, wherein contributors are provided with opportunity to make donations at cash registers via electronic transfer (C. 2, L. 63-65), and wherein said electronic transfer of all contributions allocated to each charity is conducted after said contributions are accumulated until a sufficient amount is achieved to be acceptable by the recipient (C. 11, L. 17-25), thereby indicating "*funded*" feature.

The motivation to combine Project for Hope and Robbins with Burke to include that said sent delivery lot (shipment) is *funded* delivery lot would be to advantageously assure donors that the contribution takes effect (Burke; C. 11, L. 21-22).

Response to Arguments

Applicant's arguments filed 2/24/2006 have been fully considered but are moot in view of the new ground(s) of rejection.

Conclusion

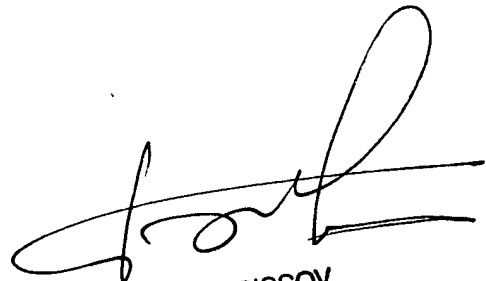
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure (see form PTO-892).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Igor Borissov whose telephone number is 571-272-6801. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

IB

9/12/2006



IGOR N. BORISSOV
PRIMARY EXAMINER